IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.616 OF 2006

Shri Suresh Tukaram Mane ..Applicant.

Vs.

State of Maharashtra ..Respondent.

Mr. Dilip Bodake for the Applicant.

Mr. R.Y.Mirza, APP for the Respondent.

CORAM : V.M. KANADE, J.

DATED : 13TH MARCH, 2006.

P.C.:

1. Heard the learned counsel for the Applicant and the learned APP for the State.

2. The learned counsel for the applicant states that the applicant was arrested in connection with the offence which was registered vide C.R. No. 92/ 2005 with Karad City Police Station. It is alleged that the applicant alongwith the other accused formed a Company and got it registered under the Companies Act, 1956 and thereafter, collected huge amounts from unsuspected students, promising them to give job in the Government Offices. In this manner an amount of Rs.50 lakhs was collected. The investigating officer has recorded statements of 141 witnesses. Nearly 19 witnesses have stated that the present applicant had played active role

in this case and has cheated the students and misappropriated amounts collected from them. It is quite possible to accept the statements of the said witnesses. The case of the present applicant is that the case of one co-accused -Hemant Tanajirao Zapate, is similar to him. The Sessions Court while granting bail to said Hemant T. Zapate has observed that none of the witnesses have attributed any specific role to the accused applicant, who was a student of 21 years of age. Therefore, the applicant, is entitled to be released on
the ground of parity that number of witnesses have not attributed any specific role to the present applicant.

3. The learned APP on the other hand has informed the court that in the present case the charge has been framed by the Sessions Court and the trial is delayed only on account of the some of the accused taking time for the purpose of engaging a lawyers to defend them.

4. In the result, this is not a fit case for grant of bail. The application is rejected. The hearing of the trial is expedited. The trial court shall not be influenced by any observations made by this court while deciding the application as an expression of opinion on the merit of the case. The application is disposed of

in the above terms.

13.03.2006 (V.M.Kanade,J)